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*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

THE SCO GROUP,  
Plaintiff,

V.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,  
  
Defendant.

**PLAINTIFF SCO'S NOTICE  
OF COMPLIANCE WITH  
COURT ORDER OF  
DECEMBER 12, 2003**

Case No. 2:03CV0294DAK

Hon. Dale A. Kimball

Magistrate Judge Brooke Wells

Plaintiff/Counterclaim Defendant SCO hereby files its Notice of Compliance with this Court's Order entered on December 12, 2003, and states:

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1. SCO has responded fully and in detail to Interrogatories 1-9, 12 and 13 of IBM's First Set of Interrogatories. (See SCO's Supplemental Response to Defendant's First and Second Set of Interrogatories dated January 12, 2004) (hereinafter "Supplemental Responses."). These Supplemental Responses, which exceed 60 pages, fully respond to the interrogatories based on the information in SCO's possession. Upon receiving complete discovery from IBM, including all versions of AIX and Dynix/ptx, there undoubtedly will be further evidence of IBM's contractual breaches and other violations of law, as detailed in the attached Declaration of Ryan Tibbits. Accordingly, SCO reserves the right to further supplement or amend its answers as discovery or further investigation may reveal.

2. SCO also has produced all non-privileged responsive documents requested by IBM. The only exception to such production is the files of certain officers and directors for whom SCO could not obtain the requested materials during the holidays with sufficient time to review the documents. The efforts to obtain these files and their expected production date are set forth in the attached Declaration of Ryan Tibbits.

Respectfully submitted,

DATED this 12<sup>th</sup> day of January, 2004.

HATCH, JAMES & DODGE, P.C.  
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By:   
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CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, hereby certifies that a true and correct copy of Plaintiff's Notice of Service of Discovery was served on Defendant International Business Machines Corporation on this 12<sup>th</sup> day of January, 2004, by Federal Express mail to:

Evan R. Chesler, Esq.  
Cravath, Swaine & Moore LLP  
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and by mail to:

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